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February 18, 2008

**PARTIES OF RECORD:**

Case No. 2007-00269

Cellco Partnership d/b/a Verizon Wireless

Attached are two informal conference memoranda which are being filed in the record of the above-referenced case. If you wish to make any comments regarding the contents of these memoranda, please do so within five days of receipt of this letter. Should you have any questions regarding this matter, please contact Dale Wright at 502/564-3940, Extension 235.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

vh/

## INTRA-AGENCY MEMORANDUM

### KENTUCKY PUBLIC SERVICE COMMISSION

**TO:** Main Case File No. 2007-00269  
**FROM:** Dale Wright, Staff Attorney  
**DATE:** February 18, 2008  
**SUBJECT:** Informal Conference on October 24, 2007

Shortly after 10:00 a.m., the conference convened. The attached sign-in sheet identifies each individual present at the conference and whom they represented. Verizon began the discussion by explaining, with experts present at the conference, why the proposed cell site location was chosen. The RF engineer, real estate agents, and other Verizon representatives directly explained and answered all the standard and unusual questions that the intervenors had.

The intervenors asked multiple questions about such a facility and began to state various reasons for their desire that the tower be moved to some other location. They were concerned about safety, health, and most of all, real estate values and aesthetic environment.

Commission Staff explained the entire procedure to the intervenors. Mr. Rice explained what his witnesses would testify, and Commission Staff explained the burden by which the intervenors must rebut the direct testimony. It appeared that all the parties understood the parameters of the procedural Order being issued including ground rules of a public hearing.

During the discussion there was an issue raised by the intervenors regarding a certain location approximately 200 feet east along the right-of-way line fence at a grove of small trees. This would remove the tower from the corner lot, but would actually expose it to a much larger viewing area. The intervenors mentioned that several other locations along I-64 and along the Fearing Road where the tower could be located to resolve their objections. Verizon acknowledged that it may have missed the grove of trees along the right-of-way; therefore, Verizon agreed to send its engineers back to the location and general area to relocate and to double-check nine or ten other potential sites that had been mentioned. Mr. Rice directed all of his Verizon personnel to go back to the proposed location and basically recalculate, including financial aspects, the likelihood of another site being sufficient.

It was agreed by the parties to continue this informal conference until November 28, 2007 at 9:00 a.m. at the Commission's offices. On November 19, 2007, all intervenors were notified in writing by Commission Staff notice of the continued informal conference to learn the results of the new Verizon study.

cc: Parties of Record

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CELLCO PARTNERSHIP )  
D/B/A VERIZON WIRELESS FOR ISSUANCE )  
OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO )  
CONSTRUCT AN ADDITIONAL CELL )  
FACILITY AT 932 FEARING ROAD, )  
OWINGSVILLE, BATH COUNTY, KENTUCKY )

CASE NO. 2007-00269

=====  
October 24, 2007 Informal Conference  
=====

Please sign in:

NAME

REPRESENTING

Wade Wright

PSC STAFF

Eric Bowman

Psc Staff

Tiffany Bowman

PSC Staff

G. Brent Rice

Verizon Wireless Attorney

Amy Harper

Verizon Wireless

Tami Pike

Craig and Associates

Bill Dalky

Verizon Wireless

Debbie Rhodes

Craig + Associates

James Garner

Linda Sexton

Paul Sexton

Angela Lauer

Community Bath Co.

Quinn P. Swartz

Fearing Rd " "

**INTRA-AGENCY MEMORANDUM**  
**KENTUCKY PUBLIC SERVICE COMMISSION**

**TO:** Main Case File No. 2007-00269

**FROM:** Dale Wright, Staff Attorney

**DATE:** February 18, 2008

**SUBJECT:** Second (continuing) Informal Conference of November 28, 2007

On November 28, 2007, at 9:00 a.m., the continuing informal conference regarding this case and cell site facility was conducted at the Commission's offices. Attached is a sign-in sheet that identifies each individual present and whom they represent. Although there were only three intervenors present, one was a spokesperson and had contacted multiple of the others and advised them of the first conference and was going to report back to those intervenors after this conference.

This meeting was centered on reviewing the findings of Verizon after they re-examined the various locations as discussed in the first conference. Verizon presented RF engineering maps which showed the actual amount of or lack of coverage in the various areas in each of the locations mentioned by the intervenors. Just locating a tower, advises Verizon, is not the entire matter, but there is the financial aspect that calculates into the formula for the construction of the tower at a particular location. Verizon also provided multiple photographs from the most important of the sites that were re-examined that were taken from four different directions at the point of location. The intervenors were appreciative and very interested in the information and seemed to understand it to the extent that it appeared not to change the original proposed location in Verizon's application. There was one location approximately 200 feet back up Fearing Road that would remove the tower from the corner, but would put it out into a field in front of several other homes, which may have caused some disagreement with the property owners.

The intervenors took the RF maps and the photographs. The spokesperson was going to go back to the Peasticks location and talk to the various surrounding property owners to survey their feelings on any proposed move of the tower. Commission Staff and the parties discussed formal hearing requirements, including a hearing schedule.

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

APPLICATION OF CELLCO PARTNERSHIP )  
D/B/A VERIZON WIRELESS FOR ISSUANCE )  
OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO )  
CONSTRUCT AN ADDITIONAL CELL )  
FACILITY AT 932 FEARING ROAD, )  
OWINGSVILLE, BATH COUNTY, KENTUCKY )

CASE NO. 2007-00269

=====  
November 28, 2007 Informal Conference  
=====

Please sign in:

NAME

REPRESENTING

Wale Wright

PSC Staff

Eric Bowman

PSC Staff

Quinn P. Swartz

Fearing Rd

Angela Howard Garner

Fearing Rd

James Garner

Leavenworth

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